

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR)	
SPECIAL MANAGEMENT AREA)	
USE PERMIT)	SMA USE PERMIT
by)	NO. 163
BARRY MACHADO)	
for)	
FOUR-LOT SUBDIVISION)	
AND RELATED IMPROVEMENTS)	
in)	
WAIPUNAUULA, SOUTH KONA, HAWAII)	

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on July 30, 1981, considered the application of BARRY MACHADO for a Special Management Area Use Permit in accordance with Rule No. 9 of the Planning Commission, Rules and Regulations Relating to Environmental Shoreline Protection to allow a four-lot subdivision and related improvements at Waipunaula, South Kona, Hawaii, Tax Map Key 8-2-3:30.

The Commission has found the following:

The petitioner proposes to subdivide a 32.41-acre parcel into four new lots in order to use the area for more intensive agricultural purposes. Physical improvements include the construction of a paved roadway and the installation of a water line.

The subject site is 500 feet mauka of the lower government road at a considerable distance from the shoreline. As such, neither access to the shoreline nor the viewplane will be affected by this action.

No adverse effect upon any rare or endangered flora or fauna is anticipated since none are known to exist in the area.

Historic resources of Kealakekua Bay are not expected to be affected by the proposed subdivision action. However, the cumulative impact may affect the historic resources as a result of the change of use from a pastoral to intensive agriculture based on the findings of the archaeological reconnaissance of Lloyd Soehren. Therefore, further archaeological work on identified archaeological features will be required prior to final subdivision approval. This in turn should adequately mitigate any potential impact on the historic resources of the area.

Based on the above, it is determined that the approval of the proposed project will not result in the loss of valuable natural, cultural, or recreational resources of Kealakekua Bay or that of the surrounding area.

There is a natural drainage channel traversing the northern portion of the subject area. While the property is potentially subject to inundation from flood waters, these potential hazard to the subject property can be mitigated without increasing the hazard to surrounding properties through the requirements of the Department of Public Works and the conditions of approval.

The subdivision of land into lots greater than five (5) acres for agricultural purposes is consistent with the intended use of land by the General Plan and the Unplanned zoning of the subject property.

Based on the above, it is determined that the proposed development will not have any substantial adverse impacts on the surrounding area nor will its approval be contrary to the objectives and policies of Chapter 205-A, HRS, Relating to Coastal Zone Management or Rule 9 of the Planning Commission Relating to the Special Management Area and the General Plan of the County of Hawaii.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow a four-lot subdivision and related improvements at Waipunaula, South Kona, Hawaii, Tax Map Key 8-2-3:30, pursuant to the authority vested in it by Rule No. 9 of the Planning Commission.

Approval of the Special Management Area Use Permit is subject to the following conditions:

1. That the petitioner, Barry Machado, shall be responsible for complying with all of the stated conditions of approval.
2. That the petitioner comply with the requirements for subdivision approval.
3. That a drainage easement be designated, meeting with the approval of the Department of Public Works. Furthermore, no alteration of the existing drainage channel shall be conducted during the development or by future landowners.
4. That the petitioner shall comply with the requirements of the Department of Public Works with respect to the drainage plan, including the submittal of hydrologic calculation for the drainage channel.
5. That the petitioner shall be required to conduct an intensive archaeological survey of the recorded archaeological features. Such work shall be conducted by a certified archaeologist and a report shall be submitted to and accepted by the Planning Director prior to final subdivision approval.
6. That should any unanticipated archaeological feature be found during grading or construction, work shall immediately cease and the Planning Director shall be immediately notified. Work shall not resume until approval is received from the Planning Director.
7. That all other applicable rules, regulations and requirements, including that of the Department of Public Works, Department of Water Supply, and Department of Health shall be complied with.

Should the foregoing conditions not be met, the Special Management Area Use Permit may be deemed null and void by the Planning Commission.

The effective date of this Permit shall be July 30, 1981..

Dated at Hilo, Hawaii, this 17th day of September, 1981.



BERT. H. NAKANO
Chairman, Planning Commission

APPROVED AS TO FORM AND LEGALITY:


DEPUTY CORPORATION COUNSEL
County of Hawaii

Date: 10 Sept 81